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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Alan T. Ruberg

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03/28/2006

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EXAMINER

FERRIS, DERRICK W

ART UNIT

PAPER NUMBER

2616

DATE MAILED: 03/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/687,562

Applicant(s)

RUBERG ET AL.

Examiner

Derrick W. Ferris

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14, 16 and 18-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-10, 16 and 18-20 is/are allowed.
- 6) ☒ Claim(s) 1-6, 11-14, 21 and 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 February 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. This Office action is in response to applicant's paper filed 2/15/2006. **Claims 1-14, 16, 18-22** as amended are still in consideration for this application.
2. Examiner **withdraws** the 112-1st paragraph rejection to **claim 3** and thanks applicant for making the necessarily correction.
3. The examiner **withdraws** the rejection for claim 16 and dependent claims based on applicant's incorporation of claim 17 which was indicated as previously allowable.
4. Examiner does **not withdraw** the rejection to *Ludwig*. Applicant's arguments filed 2/15/2006 have been fully considered but they are not persuasive. In particular, at issue with claims 1 and 21 is the further amended limitation of where the decode data is *received from* the network. Applicant argues that *Ludwig* teaches that the data is stored at the AVSC 120 and therefore not received from the network. The examiner does not dispute that the data is stored at the AVSC 120, however, the claim limitation is met since in order to be stored at the AVSC, the data must first be transferred across the data network to the AVSC thus meeting the above claim limitation, see e.g., column 29 lines 9-26.
5. Examiner does **not withdraw** the rejection to *Ludwig* in view of *Siong*. Applicant's arguments filed 2/15/2006 have been fully considered but they are not persuasive. In particular, for claims 1 and 21 at first issue is decoding data received from the network which was addressed previously above by *Ludwig*. At second issue is a central processor coupled to the demultiplexer. The above limitation is met with respect to figure 12 of *Siong* and the abstract of *Siong*. In particular, the abstract of *Siong* teaches that a controller controls the demultiplexing

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and multiplexing. Shown in figure 1 is a microcontroller 6 (i.e., controller) which is directly connected to display buffers 7, 8, and 9. Therefore the above limitation is met from two perspectives. The first interpretation is that the demultiplexer contains the display buffers 7, 8, and 9 since the controller controls the demultiplexer as taught by the abstract. The second interpretation is that the microcontroller is coupled to the display buffers which are in turn coupled to the demultiplexer thus controlling the demultiplexer (i.e., the claims do not further recite that the controller or equivalent is *directly* coupled to the demultiplexer which is what applicant attempts to argue). Finally, with respect to combinability of references, the references are taught in combination where the output would be synchronized (see motivation below).

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. **Claims 1, 4-6, and 21** are rejected under 35 U.S.C. 102(e) as being anticipated by U.S.

Patent No. 6,816,904 B1 A to *Ludwig et al.* (“*Ludwig*”).

As to **claim 1**, *Ludwig* discloses e.g., in figure 3 a bulk decoder as part of the AVSC 120, output devices as user workstations 40 and a server as either another user workstation 40 or AVSM 160. For the purpose of the rejection, a network is taught as part of data LAN 20 and a network data interconnect is taught as the AV Network 30, additional data network 20, or the same data network 20, see e.g., sections 4.2.1 and 4.2.2

on columns 8 and 9 with respect to one or more networks since different workstations can reside on different networks including but not limited to data LAN 20, Interent 80 and WAN 39. As such, the AVSC 120 (i.e., bulk decoder) is coupled to the data LAN 20 since the AVSC 120 is capable of storing data files and streams with the respective user workstations 40. The AVSC 120 is further coupled to the network data interconnect since the AVSC 120 is further capable of sending data files/streams to the user workstations 40. The user workstations 40 (i.e., server) send a request message across the data LAN 20 to the AVSM 160 (also a server) where the AVSM 160 further services the request by utilizing one or more AVSCs 120. With respect to AVSC 120 being a bulk decoder, see e.g., figures 7 and 8 and column 12, lines 40-47 and column 15. Also note that data can be sent in the form of either data files or data streams, see e.g., column 8, line 65.

As to **claims 4 and 5**, see e.g., Section 4.3 starting on column 10 with respect to workstations (i.e., a desktop unit) where the workstations further comprise storage, see e.g., column 10, lines 56-58.

As to **claim 6**, see e.g., figures 7 and 8 with respect to a plurality of bulk decoders.

As to **claim 21**, see similar rejection to claim 1. In addition, a decoder decodes either audio or video signal thus meeting the claim limitation since data can be audio, video, or audio and video where audio or video signals are in a single protocol format, e.g., a video decoder decodes a video only datafile/stream and sends the datafile/stream to a corresponding/requesting user workstation 40.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. **Claims 2-3, 11-14 and 22** are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,816,904 B1 A to *Ludwig et al.* ("*Ludwig*") in view of U.S. Patent No. 6,028,632 to *Siong et al.* ("*Siong*").

As such to **claim 2**, *Ludwig* discloses more than one decoder in e.g., figures 7 and 8.

Ludwig is silent or deficient to the further limitation of a central processor coupled to a demultiplexer and a multiplexer where a decoder is further coupled to the multiplexer and demultiplexer.

Siong teaches the further recited limitation above at e.g., in the Abstract. In particular, although figure 1 may not explicitly shown that microcontroller 6 is coupled to demultiplexer 10, the examiner notes that the reference teaches that the microcontroller 6 controls the demultiplexer as mentioned at least in the abstract. Therefore the microcontroller must be coupled to the demultiplexer.

The proposed modification of the above-applied reference(s) necessary to arrive at the claimed subject matter would be to modify *Ludwig* by clarifying the further

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structure of the shared decoder and in particular to teach that it is well known in the art to use a controller to control the operation of a multiplexer and demultiplexer.

As such, examiner notes that it would have been obvious to one skilled in the art prior to applicant's invention to include the above limitation. In particular, the motivation for modifying the reference or to combine the reference teachings would be to control the synchronization of a multiplexer and demultiplexer. In particular, *Ludwig* cures the above-cited deficiency the output is synchronized with respect to a display buffer. Thus the references teach the above claim limitation(s).

As to **claim 3**, the processor is the processor of either the AVSM or AVSC as taught by *Ludwig*. In addition, see *Siong* with respect to a demultiplexer and multiplexer, see e.g., the rejection for claim 2.

As to **claim 11**, see similar combined rejections to claims 1 and 2.

As to **claim 12**, the decoders decode single protocol formats.

As to **claims 13-14**, audio or video signals are decoded (i.e., thus an audio or video decoder are taught respectively).

As to **claim 22**, see similar combined rejections to claims 21 and 2.

Allowable Subject Matter

10. **Claims 7-10, 16, and 18-20** are allowed.

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Derrick W. Ferris whose telephone number is (571) 272-3123. The examiner can normally be reached on M-F 9 A.M. - 4:30 P.M. E.S.T.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571)272-3134. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Derrick W. Ferris
Examiner
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 6/20/06
DERRICK FERRIS
PATENT EXAMINER